Introduction

1. By a !"#a\$"o% f"!ed o% 11 &'%e 2014(\$)e A !"#a%\$(a Te*\$ Pro#ess"%g C!er+ (G,-) a\$ \$)e C)"%ese Te*\$ Pro#ess"%g U%"\$ (.CTPU/)(C)"%ese Tra%s!a\$"o% 0e#\$"o% (.CT0/)(1a%g'ages 0er2"#e (.10/)(D"2"s"o% of Co%fere%#e 3 a%age 4 e%\$ (.DC 3 /) of \$)e Off"#e of \$)e U%"\$ed Na\$"o%s a\$ Ge%e2a (.UNOG/)(so'g)\$ s's e%s"o%(e%d"%g 4a%age 4 e%\$ e2a! 'a\$"o%(of \$)e "4 !e 4 e%\$a\$"o% of \$)e de#"s"o% %o\$ \$o re%e 5)er f"*ed,\$er 4 a o"%\$4 e%\$ 6eyo%d -0 &'%e 2014.

Facts

2. T)e A !"#a% e%\text{ered ser2"#e a} \text{\$)e CTPU "% 3 ay 2002 o% a \text{\$e4} orary

s\$aff fro 4 a%y of \$)e o\$)er Te*\$ Pro#ess"%g U%"\$s 5 as affe#\$ed. 7 e%#e("\$ r'%s #o%\$rary \$o 0T/0GB/2002/1-(0T/0GB/2008/?(0T/9C/200-/1<(0T/A9/-<1 a%d 0T/A9/-<1/A 4 e%d.1 a%d 0T/A9/2004/-(as 5 e!! as s\$aff r'!es 1.2 a%d 10.1F

Urgency

6. T)e de#"s"o% 5"!! \$a+e effe#\$ 5"\$)"% \$)ree 5 ee+sF

Irreparable damage

- #. T)e A !"#a%\$ 5"!! 6e '\$ "% a des era\$e e#o%o4"# s"\$'a\$"o% as \$)e #'\$\$"%g off of)er 40%\$)!y "%#o4e 5"!! "4 a"r)er a6"!"\$y \$o s' or\$)er so% a%d)er da'g)\$erCs '%"2ers"\$y s\$'d"es(as 5e!! as)er 40\$)er(5)o !"2es a!o%e "% C)"%aF
- d. G"\$)o'\$ a sa!ary(\$)e A !"#a%\$ 5"!! fa#e d"ff"#'!\$"es \$0 ay for "%s\$a!4e%\$5 of)er 4 or\$gage !oa%\$F
- e. T)e de#"s"o% 5o'!d #a'se d"s\$ress a%d)ar4 \$o \$)e A !"#a%\$ a%d)"%der)er #areer ros e#\$s.
- 12. T)e @es o%de%\$Cs r"4ary #o%\$e%\$"o%s 4ay 6e s' 4 4ar"Ded as fo!!o5sE
 - a. T)e de#"s"o% "s %o\$ prima facie '%!a5f'!. 9\$ 5 as 6 ased o% \$)e red'#\$"o% of 5 or + 5 "\$) "% \$)e CTPU a%d \$)e o%,go"%g 5 or + for #e !a%%"%g do%e 6y \$)e 10. 9% \$)"s se%se(\$)e CTPU 5 or +!oad for e#as\$ for 2014 es\$" 4 a\$es a fa!! of o2er <H 5 "\$) res e#\$ \$o \$)e as\$ year F\$)e o%e,off \$as + of 2er"fy"%g \$)e a!"g% 4 e%\$ of 6"\$e*\$s da\$"%g 6 a# + \$o 2010 "s \$o 6 e #o 4 !e\$ed 6 y 4 "d,&'%e F a%d \$)e Ge%era! Asse 4 6! y de#"ded "% A r"! 2014 \$o a!!o#a\$e a 4 a*" 4 ' 4 of \$) ree off f" #"a! 5 or + "%g !a%g 'ages for \$)e 5 or + of) ' 4 a% r"g)\$s \$rea\$y 6 od "es(5) "#) "s a%\$"#" a\$ed \$o f'r\$) er red '#e \$)e CTPU 5 or +!oad 6 y 2? H as fro 4 201?. T)e de#"s"o% "s \$)e res'!\$ of a #)a%ge "% 5 or + "%g a\$\$er%s "% \$)e \$e*\$, ro #ess "%g '%"\$s a%d \$)e re#e%\$ de#"s"o%s of \$)e De ar\$4 e%\$ for Ge%era! Asse 4 6! y a%d Co%fere #e 3 a%age 4 e%\$F

Case No. UNDT/GVA/2014/044 Order No. 88 (GVA/2014)

- 6. T)e #o%\$es\$ed %o%,re%e 5a! de#"s"o% "s %o\$ re\$a!"a\$oryF #o%\$rary \$o \$)e

 A !"#a%\$Cs #o%\$e%\$"o%(\$)e #o%\$es\$ed de#"s"o% 5 as %o\$ \$a+e% 6y \$)e C)"ef(

 CTPU(6'\$ 6y \$)e De '\$y C)"ef(10F
- #. T)e A !"#a%\$ 5 as "de%\$"f"ed(a 4 o%g \$)e CTPU s\$aff(as o%e of \$)e \$5 o s\$aff 4 e 4 6 ers 5) ose #o%\$ra#\$ 5 o '!d %o\$ 6 e re%e 5 ed a\$ \$) e e%d of & '%e 2014(s"%#e I '%!"+e \$)e o\$)er re 4 a "%"%g 12 e 4 !oyees(5)o 5 ere)"red aga"%s\$ reg'!ar 6 'dge\$ os\$s I \$)e A !"#a%\$ a%d)er #o!!eag'e are \$)e o%!y o%es "% \$)e '%"\$ a\$ \$)e G,- !e2e! a%d \$)ey)o!d a o"%\$4 e%\$s !"4"\$ed \$o DC 3 . > 'r\$)er(\$)ey)a2e assed \$)e Ad 4 "%"s\$ra\$"2e s' or\$ Assess 4 e%\$ Tes\$ "% C)"%ese o%!y. T)ey are \$) 's %o\$ e!"g"6!e for rede !oy4 e%\$ \$o a%o\$)er ser2"#e.

Consideration

- 1-. T)e Tr"6'%a! s)a!! re!y o% \$)e a !"#a\$"o% a%d \$)e @es o%de%\$Cs re !y(5"\$) a!! \$)e"r a%%e*es. T)e o6ser2a\$"o%s f"!ed 6y \$)e A !"#a%\$ o% 18 & '%e 2014 5 ere %e"\$)er re8'es\$ed(%or #o%s"dered re!e2a%\$ for \$)e 4a\$\$ers a\$ s\$a+e. A!so(\$)e Tr"6'%a! res\$r"#\$s "\$s f"%d"%gs \$o \$)"s #ase a%d 5"!! %o\$ assess o\$)er "ss'es !"+e \$)e re2"o's #a%#e!!a\$"o% of os\$s or #o 4 !a"%\$s a6o'\$)arass 4 e%\$.
- 14. P'rs'a% \$\(\) o ar\\$. 2.2 of "\\$ o\\$a\\$'\\$ e a\%d ar\\$. 1- of "\\$ \@'!\es of Pro\(\) e Tr"\(\) '\%a! 4 ay order \$\(\) e s's e\%s"\(\) d'r"\%g \$\(\) e e\%de\% \(\) y of 4 a\%age 4 e\% e2a!'a\\$"\(\) o\% (of \$\(\) e " 4 !e 4 e\%\\$a\\$"\(\) o\% of a \(\) a \(\) d'r"\%g \$\(\) e e\%de\% \(\) a \(\) a \(\) '\s\" s\"\(\) e de\%"\s"\(\) a \(\) ears prima facie \$\(\) o 6e '\%!a 5 f'!\(\) "\% \(\) #ases of ar\\$"\(\) '!\(\) a ''s \(\) o\% o f a \(\) o\% o f
- 1?. T)e Tr"6'%a!)as re ea\(ed\(!y \))e\(!d \) a\(!) \) rere8'"s"\(e \) of prima facie '\%!a5f'\!\% ess does re8'"re ser"o's a\(e \) dreaso\(e \) do'6\(e \) a\(e \) a\(e \) ega\(e \) o\(e \) s\(e \) ega\(e \) a\(e \) o\(e \) be '\(e \) a\(e \) a

- 18. T)e s\(\)eady de\(\)rease \(\) \(
- 19. 7e%#e(\$)ere "s a so!"d a%d #o%s"s\$e%\$ re#ord s)o5"%g a% "4 or\$a%\$ a%d #'rre%\$ de#rease "% \$)e CTPU 5or+!oad(5)"#) "s e* e#\$ed \$o f'r\$)er de#rease "% \$)e %ear f'\$'re. 9\$ s)o'!d 6e %o\$ed \$)a\$ \$)e A !"#a%\$ does %o\$ de%y \$)"s o2era!! 5or+!oad de#rease as s'#). 9% add"\$"o%(\$)e f"!e re2ea!s \$)a\$ "\$ "s a% Age%#y, 5"de \$re%d \$o red'#e \$)e %' 4 6er of \$e*\$ ro#essors 5"\$) a 2"e5 \$o a#)"e2e a ra\$"o of o%e \$e*\$ ro#essor for \$)ree \$ra%s!a\$ors a%d \$o "%#reas"%g!y resor\$ \$o #o%\$ra#\$'a! \$ra%s!a\$"o% a%d \$e*\$ ro#ess"%g. No\$a6!y(\$)e C)"ef(10(UNOG("% a% e4a"! da\$ed 22 3 ay 2014(a#+%o5!edged \$)a\$ DC 3 5 as '%der f'r\$)er ress're \$o a!"g% "\$se!f 5"\$) \$)"s \$re%d("% \$)e #o%\$e*\$ of \$)e a ro2a! of \$)e 6'dge\$ for \$)e 6"e%%"' 4 2014, 201?(5)"#) e%\$a"!ed #'\$s for \$e4 orary ass"s\$a%#e for 4 ee\$"%gs(ge%era! \$e4 orary ass"s\$a%#e a%d o2er\$"4e(a%d a% "%#rease of D 3 C 6'dge\$ for #o%\$ra#\$'a! \$ra%s!a\$"o% a%d \$e*\$, ro#ess"%g.
- 20. 9% 2"e 5 of a!! \$) e a6o2e(\$) e Tr"6'%a! "s sa\$"sf"ed \$) a\$ \$) e J's\$"f"#a\$"o% g"2e% 6y \$) e Ad4"%"s\$ra\$"o% for \$) e #o%\$es\$ed de#"s"o% "s s' or\$ed 6y \$) e fa#\$s. A!\$)o'g) \$) ere 4 ay 6e o\$) er 5 ays \$0 a!"g% \$0 \$) e red'#\$"o% of 5 or+(\$) e %o%,re%e 5 a! of f"*ed \$er 4 a o"%\$4 e%\$s!"es #er\$a"%!y 5"\$) "% \$) e 5 "de d"s#re\$"o% \$) e 0e#re\$ary,Ge%era! e%Joys "% 4 a\$\$ers re!a\$"%g \$0 5 or+ orga%"Da\$"o%.
- 21. T)e A !"#a%\$)o!ds(%o%e\$)e!ess(\$)a\$ \$)e de#"s"o% "s "% fa#\$ 6ased o% "4 ro er 4o\$"2es(a%d "% ar\$"#'!ar(\$)a\$ "\$ "s a for 4 of re\$a!"a\$"o% for)a2"%g for 4a!!y s o+e% o'\$ a6o'\$ \$)e 4a%ager"a! ra#\$"#es a%d de#"s"o%s of \$)e C)"ef(CTPU. 9\$ "s se\$\$!ed !a 5 \$)a\$ \$)e 6' rde% of ro2"%g a% a!!ega\$"o% of \$)"s +"%d res\$s 5 "\$) \$)e a !"#a%\$ (e.g. &bdei,n 2012,UNAT,201). 9% \$)e rese%\$ #ase(\$)e A !"#a%\$)as %o\$ 4 e\$ \$)"s 6' rde%.
- 22. 9% \$)"s res e#\$(\$)e Tr"6'%a! "s 5e!! a5are of \$)e \$e%se 5or+"%g a\$4os)ere 5"\$)"% \$)e A !"#a%\$Cs '%"\$ a%d \$)e de\$er"ora\$ed re!a\$"o%s 6e\$5ee% \$)e A !"#a%\$ a%d)er s' er2"sor(5)"#))a2e res'!\$ed "% a re2"o's re8'es\$ for 4a%age4e%\$

e2a!'a\$"o% of a d"ffere%\$ de#"s"o% a%d "% se2era! #o4 !a"%\$s 6y \$)e A !"#a%\$ a\$ 2ar"o's !e2e!s of)er)"erar#)y. O% \$)e o\$)er)a%d(\$)e res e#\$"2e e4a"!s of 2< 3 ay 2014 fro4 \$)e C)"ef(CTPU(a%d \$)e De '\$y C)"ef(10(re#ord \$)a\$ \$)e A !"#a%\$Cs s' er2"sor ref'sed \$o 4a+e a%y re#o44e%da\$"o% #o%#er%"%g \$)e re%e5a! of)er #o%\$ra#\$(4 "%df'!(re#"se!y(of #o4 !a"%\$s 6ro'g)\$

Case No. UNDT/GVA/2014/044 Order No. 88 (GVA/2014)

2<. 7a2"%g #o%#!'ded \$)a\$ \$)e #o%\$es\$ed de#"s"o% "s %o\$ prima facie '%!a5f'!(
\$)ere "s %o %eed \$o as#er\$a"% 5)e\$)er \$)e o\$)er re8'"s"\$e #o%d"\$"o%s for gra%\$"%g a
s's e%s"o% of a#\$"o% I \$o 5"\$('rge%#y a%d "rre ara6!e da4age I are 4e\$ "% \$)e
rese%\$ #ase.

Conclusion

28. 9% 2"e 5 of \$)e forego"%g(\$)e a !"#a\$"o% for s's e%s"o% of a#\$"o% "s reJe#\$ed.

(Signed)

&'dge T)o4as 1a+er

Da\$ed \$)"s 19\$0 day of & '%e 2014

: % $\ensuremath{\text{ered}}$ "% \$) e @eg"s $\ensuremath{\text{er}}$ o% \$)"s 19 $\ensuremath{\text{s}}$) day of & '%e 2014

(Signed)

@e%L 3. Vargas 3.(@eg"s\$rar(Ge%e2a